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PTO/SB/21 (03-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/854,417	RECEIVED CENTRAL FAX CENTER FEB 26 2004 OFFICIAL
	Filing Date	May 11, 2001	
	First Named Inventor	Theo T. Nikiforov	
	Group Art Unit	1637	
	Examiner Name	Jeffrey Siew	
Total Number of Pages in This Submission	7	Attorney Docket Number	01-054210US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Communication to Examiner
Authorization to Charge Deposit Account Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jonathan Alan Quine, Reg. No. 41,261, Quine Intellectual Property Law Group, P.C.
Signature	<i>Jonathan Alan Quine</i>
Date	February 25, 2004

CERTIFICATE OF FACSIMILE

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Signature	<i>Juliana Hermes</i>	Date	February 25, 2004

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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By Juliana Hermes
Juliana Hermes

Attorney Docket No. 01-054210US
Client Ref. No. 100/11310US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Theo T. Nikiforov et al.

Examiner: Jeffrey Siew

Application No.: 09/854,417

Art Unit: 1637

Filed: May 11, 2001

COMMUNICATION TO THE EXAMINER

For: DETECTION OF NUCLEIC ACID
HYBRIDIZATION BY FLUORESCENCE
POLARIZATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As discussed in Examiner interview of February 25, 2004, enclosed is a
declaration by Inventor Sang Jeong to be made of record in the above-identified application.

INTERVIEW SUMMARIES

(1) On November 21, 2003, Applicants' undersigned attorney discussed the status
of the subject application with the Examiner. After discussion, agreement was reached that the
rejections of record were overcome. Specifically, the prior art of record (Linn et al., USP
6436,646) does not specifically teach the use of a positive or neutral label. Instead, the
reference merely teaches that various dyes can be used—any of which can have essentially any